

1 [Parties and Counsel Listed on Signature Pages]

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10                   **UNITED STATES DISTRICT COURT**  
11                   **NORTHERN DISTRICT OF CALIFORNIA**  
12                   **OAKLAND DIVISION**

13 IN RE: SOCIAL MEDIA ADOLESCENT  
14 ADDICTION/PERSONAL INJURY  
15 PRODUCTS LIABILITY LITIGATION,

Case No. 4:22-MD-03047-YGR

MDL No. 3047

16 THIS DOCUMENT RELATES TO ALL  
17 ACTIONS

**[PROPOSED] ORDER ON STIPULATED  
PROTOCOL FOR PRODUCTION OF  
EXPERT-RELATED DOCUMENTS**

Judge: Honorable Yvonne Gonzalez Rogers  
Magistrate Judge: Hon. Peter H. Kang

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1       The PI/SD Plaintiffs and the State Attorneys General (“Plaintiffs”) and Defendants  
 2 (collectively, “the Parties”) respectfully submit this Joint Status Report on Protocol for Production  
 3 of Expert-Related Documents, pursuant to the Court’s Case Management Order Nos. 17 and 18.

4           Whereas, the Court’s Standing Order in Civil Cases addresses “Experts and their Reports,”  
 5 (p. 8, ¶ 10), including providing that “[a]t the time of disclosure of a written report, the disclosing  
 6 party must identify all written materials upon which the expert relies in that report and produce  
 7 those materials if they have not done so previously”;

8           Whereas, the Parties submitted Joint Status Reports on April 21, 2025 (ECF No. 1882),  
 9 April 28, 2025 (ECF No. 1919) and have since further have met-and-conferred regarding  
 10 disclosure of expert-related documents;

11          It is therefore agreed and stipulated as follows:

12          The Parties’ expert disclosures shall comply with the Federal Rules of Civil Procedure,  
 13 Rule 26(a)(2), the Court’s Standing Order in Civil Cases, and the Court’s other orders in this case,  
 14 except as more narrowly addressed below regarding expert reliance materials.

15          The following materials considered do *not* need to be produced:

- 16           • Plaintiffs’ medical records (provided the records are identified by Bates number in the  
                  expert’s report and/or materials considered list);
- 17           • Records produced by any party to the MDL proceeding (provided the records are identified  
                  by Bates number in the expert’s report where the document is discussed and/or materials  
                  considered list);
- 18           • Deposition testimony taken in the MDL proceeding (provided specific testimony is  
                  identified in the expert’s report where the document is discussed and/or materials  
                  considered list); or
- 19           • Publicly available medical or scientific literature (provided the journal, volume and page  
                  number are included in the expert report and/or materials considered list).

20          To the extent the expert relies upon any data analysis about social media use that the expert  
 21 has performed, that has not been the subject of a peer-reviewed publication, and that is discussed  
 22 in the expert’s report to support his/her opinion that social media causes or does not cause

1 Plaintiffs' alleged injuries, the underlying data and/or spreadsheets (including any calculations,  
2 outputs, raw data, findings, and/or results) shall be produced at the time that the expert's report is  
3 served. If the data cannot be produced in native format or the native format requires proprietary  
4 software to access it, the Parties shall meet and confer in advance of the disclosure deadline. If the  
5 data is from a publicly available database, the data need not be provided unless during a meet-and-  
6 confer the opposing party explains that they have tried and cannot recreate the data that is reflected  
7 in the expert's report (including the data in Figures or Graphs). A producing party may designate  
8 expert material, including non-public data and data analyses, in accordance with the Protective  
9 Order (ECF No. 1209, or as amended thereafter). A non-producing party may object to that  
10 designation in accordance with the Protective Order.

11 By this agreed protocol, the parties do not waive requests for additional data as to peer-  
12 reviewed publications authored or relied upon by the expert or any objections to such  
13 requests. Should additional issues arise about an expert's opinions or reliance material, including  
14 the requirements under Section 7.6 of the Protective Order and any potential related delay in a  
15 party's ability to disclose Protected Material to experts in accordance with the Protective Order,  
16 the parties will meet and confer to attempt to resolve the issues.

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18 **IT IS SO STIPULATED AND AGREED.**

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**IT IS SO ORDERED.**

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21 DATED:

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PETER H. KANG  
UNITED STATES MAGISTRATE JUDGE

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1 Dated: May 1, 2025

Respectfully submitted,

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23 **ATTESTATION**

24 I, Jonathan H. Blavin, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the  
25 concurrence to the filing of this document has been obtained from each signatory hereto.

26 DATED: May 1, 2025

By: /s/ Jonathan H. Blavin  
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